

REMARKS/ARGUMENTS

1. Rejection of claims 1 and 4 under 35 U.S.C. 102(b):

Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Vialen et al. (US 2001/0018342).

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Response:

Claims 1 and 4 have each been amended to overcome these claim rejections.

Claims 1 and 4 now contain the limitations of

“determining that an RLC unrecoverable error has occurred; and

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in response to determining that the wireless device is in the CELL_DCH state and that the RLC unrecoverable error has occurred, not performing the RAB release steps to release radio bearers.”

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These limitations are fully supported in paragraphs [0100] and [0150] of the specification, and no new matter has been entered through these claim amendments. Independent claims 1 and 4 now not only specify actions taken when a “radio link failure has occurred”, but also when an “RLC unrecoverable error has occurred” when the wireless device is in the CELL_DCH state.

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On the other hand, Vialen only teaches handling the situation of radio link failure, but does not mention having an RLC unrecoverable error. Therefore, the cited prior art fails to teach all of the limitations contained in currently amended claims 1 and 4. Reconsideration of claims 1 and 4 is respectfully requested.

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2. Rejection of claims 2, 3, 5, and 6 under 35 U.S.C. 103(a):

Claims 2, 3, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vialen et al. in view of prior art admitted by Applicant in paragraph [0084].

Response:

The admitted prior art in paragraph [0084] teaches the use of timers T314 and T315 when an RLC unrecoverable error occurs. Therefore, the combination of Vialen and the admitted prior art does not teach the claimed limitation of “in response to determining that the wireless device is in the CELL_DCH state and that the RLC unrecoverable error has occurred, not performing the RAB release steps to release radio bearers”, which is recited in claims 1 and 4.

Furthermore, claims 2, 3, 5, and 6 are dependent on claims 1 and 4, and should be allowed if their respective base claims are allowed. Reconsideration of claims 2, 3, 5, and 6 is therefore respectfully requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Amdt. dated October 16, 2006
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Sincerely yours,

Winston Hsu

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